

Sent By: USPS920-281-8357;
RECORDED MAIL

Dec-29-04 4:05PM

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0003/005

WAIVER OF SERVICE OF SUMMONS

TO: REISS INDUSTRIES, LTD. DBA HYDRO COMPONENTS & SYSTEMS, LLC

I/we, Reiss Industries, Ltd. dba Hydro Components & Systems, LLC request that I waive service of summons in the action of Joseph Pastore vs. Reiss Industries, Ltd. dba Hydro Components & Systems, LLC and Laminations, Inc.

which is case number 04-12374-REK in the United States District Court for the District of Massachusetts.

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after November 29, 2004, or within 90 days after that date if the request was sent outside the United States.

12/29/04

(Date)

(Signature)

Thomas J. Xaine, Jr.

Printed/Typed Name

As President of Reiss Industries, Ltd.
(Title) (Corporate Defendant)

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to "answer" in writing unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of service, and unless so specifically located by the United States to waive service of summons, fails to do so will be required to bear the costs of such service unless good cause is shown for its failure to sign and return the waiver.

It is not good cause for a defendant to waive service that a party believes that the defendant is unrepresented, or that the action has been brought in an improper place or that a court lacks jurisdiction over the defendant, either of the action or over the person or property. A party who waives service of the summons waives all defenses and objections (other than relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

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